

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

GUILLERMO ESTRADA CRUZ,
a/k/a “Guillermo Estrada-Cruz,”

Defendant.

Case No. 1:24-MJ-39

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Eben Morris, being duly sworn, depose and state:

1. I am a Deportation Officer with the United States Immigration and Customs Enforcement (ICE) in Fairfax County, Virginia. I have been employed with ICE for more than six years. I was previously employed as a Patrol Agent for the United States Border Patrol beginning in September 2007. I have received specialized training and have conducted numerous investigations relating to administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code.

2. My duties as a Deportation Officer with ICE include investigating administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code and seeking, when applicable, prosecution and removal of violators. I have received training in general law enforcement, including training in Title 8 of the United States Code.

3. This affidavit is submitted in support of a criminal complaint and arrest warrant for GUILLERMO ESTRADA CRUZ (hereafter referred to as ESTRADA CRUZ), also known as

“Guillermo Estrada-Cruz,” an alien who was found in the United States after being denied admission, excluded, deported, or removed, or having departed the United States while an order of exclusion, deportation, or removal was outstanding, in violation of Title 8, United States Code, Section 1326(a). This affidavit is also submitted in support of an arrest warrant.

4. The facts and information contained in this affidavit are based upon my training and experience, personal knowledge, and observations during this investigation, as well as the observations of other agents involved in this investigation. This affidavit contains information necessary to support probable cause, but it is not intended to include every fact and matter observed by me or known to the United States.

SUMMARY OF FACTS TO SUPPORT PROBABLE CAUSE

5. On or about September 6, 2023, ICE received information that ESTRADA CRUZ is living at XXXX Remington Rd, Manassas, Virginia, within the Eastern District of Virginia.

6. ICE performed records checks which confirmed that ESTRADA CRUZ is a native and citizen of Mexico who was removed from the United States on or about August 21, 2008, at or near Alexandria, Louisiana and on or about June 17, 2019, at or near Hidalgo, Texas. ESTRADA CRUZ did not have legal authorization to reenter or remain in the United States.

7. On January 23, 2024, ICE officers surveilled XXXX Remington Rd and saw a man bearing a likeness to the photograph of ESTRADA CRUZ on the Immigration Service Form I-205 executed on June 17, 2019, exit the house and enter a vehicle with Virginia tags parked in the driveway. On January 25, 2024, Virginia Department of Motor Vehicles records confirmed that this vehicle was registered to a Guillermo Estrada Cruz.

8. ICE record checks also revealed that ESTRADA CRUZ had his background checked at a scrap yard recycling store in Manassas, Virginia. Scrap metal recycling and pawn

shops are required to identify individuals who sell goods to their establishment run background checks for this purpose. On or about January 25, 2024, Deportation Officer Kevin Ho interviewed a manager at the Potomac Metals, Inc. Headquarters located in Sterling, Virginia. The manager provided documentation of multiple transactions made by ESTRADA CRUZ, one as recently as August 30, 2023, at the Potomac Metals, Inc. store located in Manassas, Virginia. Potomac Metals also provided photographs of ESTARADA CRUZ from the store's surveillance cameras, a copy of ESTRADA CRUZ's Maryland Driver's License, and a copy of his Mexican Instituto Federal Electoral Card. The biographical information, such as the name and date of birth, on the Maryland Driver's License and the Mexican Instituto Federal Electoral Card are identical to ESTRADA CRUZ's biographical information in Department of Homeland Security records. The photographs on the Maryland Driver's License and the Mexican Instituto Federal Electoral Card and the individual in the photographs of the Potomac Metals transactions resemble the photograph of ESTRADA CRUZ on the Immigration Service Form I-205 executed on or about June 17, 2019.

8. Additionally, ICE records checks revealed that the address associated with ESTRADA CRUZ'S Maryland Motor Vehicle Administration account is the same as the address associated with a May 5, 2019, Prince William County arrest. This May 2019 arrest led to ESTRADA CRUZ being turned over to ICE and removed on or about June 17, 2019, at or near Hidalgo, Texas.

9. I reviewed ESTRADA CRUZ's immigration file maintained by U.S. Citizenship and Immigration Services. The file, also known as an alien file, revealed that ESTRADA CRUZ is a citizen and national of Mexico. The file contained an executed Immigration Service Form I-205, Warrant of Removal/Deportation, bearing ESTRADA CRUZ's photograph, fingerprint, and

signature. This form showed that ESTRADA CRUZ was removed from the United States on June 17, 2019, from Hidalgo, Texas.

10. ESTRADA CRUZ's alien file lacks evidence of any immigration benefit, document, or status that would allow him to legally enter, be admitted, pass through, or reside in the United States. Further, ESTRADA CRUZ has not obtained permission from the Attorney General or the Secretary of the Department of Homeland Security to reenter the United States following his prior removal.

CONCLUSION

12. Based on the foregoing, I submit that there is probable cause to believe that on or about January 25, 2024, in Manassas, Virginia, within the Eastern District of Virginia, GUILLERMO ESTRADA CRUZ, an alien who was removed from the United States on or about June 17, 2019, at or near Hidalgo, Texas, was found in the United States without having obtained the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States.

Respectfully submitted,

EBEN J MORRIS Digitally signed by EBEN J MORRIS
Date: 2024.02.06 13:47:55 -05'00'

Eben Morris
Deportation Officer
U.S. Immigration and Customs Enforcement

Respectfully submitted and attested to in
accordance with the requirements of
Fed. R. Crim. P. 4.1 by telephone on
February 6, 2024.



Digitally signed by Ivan Davis
Date: 2024.02.06 14:16:30
-05'00'

The Honorable Ivan D. Davis
United States Magistrate Judge
Alexandria, Virginia